

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>EDWARD STEWART,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DAVID FELDMAN, <i>et al.</i>,</p> <p style="text-align: right;">Defendants.</p>	
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Civil Action No.

2:20-cv-00776-JG

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AND NOW, to wit, as of this ____ day of _____, 2020, upon due consideration, it is hereby ORDERED and DECREED that plaintiff's Motion for Extension of Case Deadlines is GRANTED.

It is further ORDERED and DECREED that all deadlines and calendar dates set forth in this Court's Amended Scheduling Order of September 29, 2020 are extended for an additional period of One (1) Month.

It is further ORDERED and DECREED that after the conclusion of fact discovery, the parties shall each be afforded a period of One (1) month to serve expert reports upon each

other, and thereafter shall be afforded an additional period of One (1) month : a) to serve rebuttal expert reports upon the opposing party; and, b) to conduct, at their discretion, a discovery deposition of the opposition's expert witness.

AND SO IT IS ORDERED.

BY THE COURT:

**HON. JOHN GALLAGHER
U.S.D.J.**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<p>EDWARD STEWART,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DAVID FELDMAN, <i>et al.</i>,</p> <p style="text-align: right;">Defendants.</p>	
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Civil Action No.
2:20-cv-00776-JP

**DEFENDANTS' REPLY TO PLAINTIFF'S
MOTION FOR EXTENSION OF CASE DEADLINES**

To The Honorable Court:

For the reasons set forth in the accompanying Memorandum of Law, your Defendants respectfully request that this Court grant plaintiff's request for extension of discovery deadlines, however this Court should enter defendants' proposed Order so that the extensions are mutual for both parties.

Respectfully submitted,

12/16/ 2020

LAW OFFICE OF SIMON ROSEN, PLLC

By: /Simon Rosen, Esq./ (#6279)

Counsel for Defendants/Respondents

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDWARD STEWART, v. DAVID FELDMAN, <i>et al.</i> ,	Plaintiff, Defendants.
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Civil Action No.

2:20-cv-00776-JP

**MEMORANDUM OF LAW IN SUPPORT OF DEFENDANTS’
RESPONSE TO PLAINTIFF’S MOTION FOR EXTENSION OF CASE
DEADLINES**

Defendants David Feldman [Sr.], by and through their undersigned counsel, hereby submit this memorandum of law in support of their response to plaintiff’s motion for extension of case deadlines, as follows

I. DEFENDANTS HAVE NOT OBJECTION TO A ONE-MONTH EXTENSION OF CASE DEADLINES; HOWEVER THE EXTENSION SHOULD BE MUTUAL AND SHOULD BE EQUALLY FAIR TO BOTH PARTIES; FURTHER, THE REQUEST DOES NOT PROVIDE FOR SUBMISSION OF REBUTTAL REPORTS TO EXPERT REPORTS

Defendants do not object to extension of the deadlines imposed by this Court on September 29, 2020 by a period of one month. Plaintiff’s proposed Order, however, grants

plaintiff an unfair advantage by allowing plaintiff further additional time to obtain an expert report, without providing defendants the same opportunity. Further, once expert reports are exchanged, in the interests of justice and fair play, both parties should be afforded the opportunity to submit rebuttal reports (to the expert reports), and to have the opportunity to depose the other side's expert, for purposes of further discovery. This assures fairness to each party.

II. CONCLUSION

For the above-stated reasons, plaintiff's motion for extension of time should be granted; defendants' proposed Order should be adopted by this Court, thereby affording both sides the opportunity to present their respective expert witness reports in due course, and further, affording both parties one additional month to serve rebuttal reports and/or conducting discovery deposition of the other party's expert witness.

Dated: December 16, 2020

Respectfully submitted,

LAW OFFICE OF SIMON ROSEN, PLLC

By: /Simon Rosen, Esq./ (#6279)

Counsel for Defendants/Respondents

CERTIFICATE OF SERVICE

I, Simon Rosen, Esq., hereby Certify that a true and correct copy of the within Motion for Enlargement and accompanying papers was duly served upon all interested by parties on 12-16-20 through the Court's ECF Filing system.

Dated: 12-16-20

/Simon Rosen, Esq./